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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
NOTIFICATION

New Delhi, the 28th August 1949

No. F. 15(42)-P/49.—In exercise of the powers conferred by section 5 of the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949 (XI of 1949), the Central Government is pleased to direct that the following amendments shall be made in the Industrial Tribunals Payment of Bonus (National Savings Certificates) Rules, 1949, namely:—

1. For rule 1, the following rule shall be substituted, namely:—

“1. **Short title and application.**—(1) These rules may be called the **Bombay Industrial Court Payment of Bonus (National Savings Certificates) Rules, 1949.**

(2) They apply to cases under section 3 of the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949.”

2. In rule 2—

(a) for clause (d) the following clause shall be substituted, namely:—

“(d) ‘factory’ means any place of employment”;

(b) after clause (i), the following clause shall be inserted, namely:—

“(ii) ‘series’ means any of the five-year, seven-year or twelve-year series of Post Office National Savings Certificates.”

3. For rule 5, the following rule shall be substituted, namely:—

“5. The amount shall be paid in certificates of the highest possible denomination or denominations and any fraction of rupees **five** which remains thereafter shall be paid in cash to the employee.”

4. For rule 8, the following rule shall be substituted, namely:—

“8. **N.O. 1 Forms.**—The employer shall not later than five days after the date of the payment of bonus, present at the post office **the** N.C. 1 Forms duly filled in by or on behalf of each employee, and signed by him, for the appropriate amount and such of the **series** as may be desired by him.”

5. In rule 13, for the words "Such date or dates of payment.....or its instalment" the following shall be substituted, namely:—

"Such date or dates shall be not later than thirty days from the date of receipt in the Post Office of the respective N.C. 1 Forms duly and properly filled in."

6. In rule 14, for the words "any person who can help in the identification of" the following shall be substituted, namely:—

"a person who shall identify".

7. For rule 16, the following rule shall be substituted, namely:—

"16 Such certificates as have been taken delivery of by the employees on the premises of the factory under rule 13 shall be available through the Post Office in the ordinary course for a period of six months from the date on which they were first available on the premises of the factory and will thereafter be treated as undelivered certificates under the Post Office Rules."

8. In rule 17, the words "and the authority shall be omitted.

THE INDUSTRIAL TRIBUNALS PAYMENT OF BONUS (NATIONAL SAVINGS CERTIFICATES) RULES APPLYING TO CASES UNDER SECTION 2 OF THE INDUSTRIAL TRIBUNALS PAYMENT OF BONUS (NATIONAL SAVINGS CERTIFICATES) ORDINANCE, 1949 (XI OF 1949).

No. F.-15(42)-P/49.—In exercise of the powers conferred by Section 5 of the Industrial Tribunal Payment of Bonus (National Savings Certificates) Ordinance, 1949 (XI of 1949), the Central Government is pleased to make the following rules:—

1. Short title and application.—(1) These rules may be called the Industrial Tribunals Payment of Bonus (National Savings Certificates) Rules, 1949.

(2) These rules shall apply to all cases under the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949, but shall not apply to the cases falling under Section 8 of that Ordinance.

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context,—

- (a) "amount" means that part of the amount of the bonus or instalment thereof which is to be paid in Post Office National Savings Certificates under the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949 or these rules;
- (b) "authority" means the authority in the form given in Schedule II;
- (c) "Certificate" means a Post Office National Savings Certificate, issued under the Post Office National Savings Certificate Rules, 1944;
- (d) "Factory" means any place of employment;
- (e) "N.C 1 form" means the form of application for the purchase of, National Savings Certificates under Savings Certificates Rules;
- (f) "Ordinance" means the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949 (XI of 1949);
- (g) "Post Office" means the post office to which the factory is assigned by the Postmaster-General of the Circle under these rules for the purpose of issuing the National Savings Certificates under the Ordinance or these rules to the employees;

- (h) "register" means the register required to be maintained under rule 6;
- (i) "Savings Certificate Rules" means the Post Office National Savings Certificate Rules, 1944;
- (j) "series" means any of the 5-year or 7-year or 12-year series of National Savings Certificates;
- (k) all words and expressions used but not defined in these Rules and defined in the Ordinance or in the Industrial Disputes Act, 1947 (XIV of 1947), or in the Post Office National Savings Certificate Rules, 1944, have the meanings assigned to them in the Ordinance or in the Industrial Disputes Act or in the Savings Certificate Rules as the case may be.

3. The Certificates purchased or issued under these rules shall be governed, unless otherwise provided for in these rules, by the Savings Certificate Rules.

4. **Manner of Payment of Amount in Certificates.**—The employer shall, not later than the date fixed for payment of the bonus or instalment thereof, pay into the post office the total amount of the bonus or instalment payable to all his employees in National Savings Certificates. Such payment shall be made by a crossed cheque or draft payable to the postmaster of the post office or his order.

5. The amount shall be paid in Certificates of the highest possible denomination or denominations and any fraction of Rs 5 which remains thereafter shall be paid in cash to the employee.

6. **Register.**—The employer paying bonus to his employees under the provisions of this Ordinance shall maintain a record of such payment in the register of attendance and wages by adding therein the particulars specified in Schedule I in the columnar form shown therein.

7. It shall be the duty of the employer to see that the entries in the register are correctly made.

8. **N. C. 1 Forms.**—The employer shall, at least ten days before the date of payment of bonus, present at the Post Office the N. C. 1 forms filled in by or on behalf of each employee, and signed by him, for the appropriate amount and the series named in the award or, where no series is named in the award, such of the series as may be desired by him.

9. Such forms shall bear the name of the factory rubber-stamped at the top and below such name the word "Bonus" rubber-stamped thereon. The post office shall at the request of the employer supply him with as many N.C. 1 forms as may be required for the purpose.

10. **Postal work at the factory.**—The employer shall give all the necessary facilities to the post office, if they so desire, to station in the factory the postal officials for the purposes of payment of bonus in the forms of Certificates.

11. **Authority.**—The employer shall fill in and give to the employee on the day of payment an authority to receive the amount to be given to him in the form of Certificates. Such authority shall be in the form specified in Schedule II.

12. **Preparation and Issue of Certificates.**—The Post Office shall prepare the Certificates. These shall be delivered to the employer by the post office within thirty days after the date of receipt in the post office of the respective N.C. 1 forms duly and properly filled in.

13. The employer shall deliver the Certificates to the employees on the premises of the factory. Within one day of the receipt of Certificates from the Post Office the employer shall give two working days' notice to the employee of his intention to deliver the Certificates and shall immediately on the expiration of such notice begin delivering the Certificates to the employees.

14. Each employee shall at the time of receiving the Certificates return the authority duly discharged by endorsement to the employer who shall deliver the Certificates to him.

15. **Certificates not taken delivery of under Rule 13.**—Such Certificates as have not been taken delivery of by the employee from the employer under rule 13 above within six months of the date of payment shall be returned by the employer to the Post Office. On the employer returning such Certificates to the Post Office, the post office shall make a note to this effect against the employer's signature on the respective N. C. 1 forms and also give a receipt to the employer. They will be kept in the Post Office where they will be available thereafter.

16. **Auditors.**—The registers and the authority shall be audited by the auditors of the employer or where there are no such auditors by the auditor appointed by the Central or the Provincial Government, as the case may be.

SCHEDULE I

Employees

Usual columns in the Register

Additional columns required under Rule 6

Amount of
bonus payable
in cash

Amount payable in
National Savings
Certificates

Amount of
fraction of Rs. 5
payable in cash

Date of delivery
of authority to
receive National
Savings Certificate

Date of delivery
of National
Savings
Certificates

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SCHEDULE II

(To be handed to the employee when distributing bonus.)

AUTHORITY TO RECEIVE NATIONAL SAVINGS CERTIFICATES

[given by the employer to the employee under the Industrial Tribunal
Payment of Bonus (National Savings Certificates) Rules, 1949.]

Name of factory.....	Name of post office.....
Name of employee.....	
Permanent/Probationer/Badli/Temporary	
Department.....	Ticket No.....
	Shift.....
Present Address.....	
Amount to be paid in National Savings Certificates.	Rs.....
Date.....	
	(Signature of manager or other autho- rised representative)
.....
Employee's signature in token of receipt of National Savings Certificates.	Attestation by the employer, or autho- rised representative if thumb impression.
	Date Place

Note—This authority should be preserved by the employee and should be
handed over only on receipt of the above National Savings Certificates.

R. G. MUNDKUR,
Under Secretary.